

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,) Civil Action No.
Plaintiff,) 2:16-cv-14050 (MAG) (RSW)
v.) District Judge:
QUICKEN LOANS INC.,) Hon. Mark A. Goldsmith
Defendant.) Magistrate Judge:
) Hon. R. Steven Whalen
)

**UNITED STATES' MEMORANDUM REGARDING POTENTIALLY
LIFTING THE STAY OF THIS ACTION**

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The United States respectfully submits this memorandum pursuant to the Court's Order (Dkt. 171) regarding potentially lifting the stay of this action. If the Court will not maintain the stay in this action due to the lapses in appropriations for the Department of Justice and Department of Housing and Urban Development, the United States will use funds that are not affected by the lapse and except furloughed employees to work without pay so that the United States can proceed with this litigation, rather than have its case dismissed. The United States respectfully requests the below briefing schedule in order to adjust for the delay that has already occurred and minimize the need to except furloughed employees:

1. Motions for summary judgment and motions to limit or exclude expert testimony shall be filed by February 8, 2019. Responses shall be filed by March 22, 2019. Replies shall be filed by April 11, 2019.
2. Supporting materials and courtesy copies shall be filed and delivered to chambers within one week of any filing.
3. In accordance with Quicken's request in its January 3, 2019 letter, the parties are allowed to provisionally file their briefing and evidentiary records under seal, which shall expire May 2, 2019 (21 days after reply briefs are filed). The parties shall seek relief pursuant to L.R. 5.3(b) before the provisional seal expires in order to request the Court maintain any portion of the seal.

4. The current trial date of March 11, 2019 is adjourned.

The United States believes the above schedule will provide sufficient time to account for any delays caused by the lapses in appropriation. However, if Quicken's motions raise any unforeseen issues that the United States cannot respond to within this schedule due to the lapses in appropriation, the United States may seek additional relief from the Court.

January 22, 2019

Respectfully submitted,

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Local Rule Certification

I hereby certify that the foregoing complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for non-proportional fonts) or 14 point (for proportional fonts).

/s/ Samuel J. Buffone, Jr.

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Certificate of Service

I hereby certify that on this 22nd day of January 2019, I served a copy of the foregoing on all counsel of record through the Court's CM/ECF system.

/s/ Samuel J. Buffone, Jr.

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